REMARKS

Presently pending in the current application are claims 1-52.

35 USC 112 Rejections

Claim 1 was rejected based on 35 USC 112. As will be shown below, Applicant believes that the subject matter previously provided in claim 1 was described in the specification. As such, Applicant respectfully requests the 35 USC 112 rejection be removed.

35 USC 102(e) Rejections

Claim 1 was rejected as being anticipated by Bakshi et al. (US 6,772,200). Although Applicant does not believe that Bakshi fully teaches or suggests original claim 1, as previously described, Claim 1 was amended to include the limitations of:

if a message for the user is desired:

sending, by the consolidating and management device, new policy information to the directing device along with a unique identifier for that policy; and

examining, by the redirecting device, the accessed user upstream traffic to determine if a redirection will be sent, wherein the examining occurs without modifying the accessed user upstream traffic;

Support for these limitations, which are not taught or suggested by Bakshi, can be found at least in paragraphs [0111] and [0112] of the instant application:

[0111] Implementation Approach: Whenever a redirecting device receives a TCP SYN packet, it looks in its table to find the IP address of the source. If the address is not in the table, or is expired, it sends a request to the address management device, along

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with a unique identifier for any policy that it has cached for that IP address (in the case of an expired entry). Depending on configuration, it could then forward the original packet back to the router, or discard or delay the packet. If the address is unknown, it also creates an entry for the IP address with a short expiration, so that it will not query the consolidating and management device again for a little while.

[0112] The address management device then queries the address management database (e.g., DHCP) to obtain the Cable Modem address associated with that IP address, and may also obtain the DHCP lease expiration time. Once the consolidating and management device determines the user associated with the IP address, if a message for that user is desired, then it can send new policy information to the directing device along with a unique identifier for that policy. If the unique policy identifier sent by the redirecting device indicates that the redirecting device already has the correct policy information available, then the consolidating and management device does not need to re-send it; it can just re-activate it. In addition, the DHCP lease expiration time is sent, even if no message is desired. The redirecting device updates its table so that it will not query the consolidating and management device again concerning that IP address until the DHCP lease expires, or more likely, some fraction of that time, perhaps with a limit. Based on the aforementioned remarks and amendments, Applicant believes the present invention is in condition for allowance. A Notice of Allowance is therefore respectfully requested.

<u>Previously Presented Claim 1</u>

Claim 1 was previously amended to include, among other limitations:

Communicating real-time to users of an ISP, comprising:

Accessing by a redirecting device <u>only user upstream traffic</u> from a destination site requested by the user;

Identifying the user by using data available from the user and provider infrastructure to provide a fixed identifier based on the <u>accessed user upstream traffic</u>;

Providing, by the redirecting device, the fixed identifier to a consolidating and management device, wherein the consolidating and management device is separate from the redirecting device;

If a message for the user is desired, examining, by the redirecting device, the <u>accessed user upstream traffic</u> to determine if it is possible to send a redirection, wherein the examining occurs <u>without modifying</u> the accessed user upstream traffic; and

Selectively redirecting the message to the user for display on a message vehicle.

The Examiner rejected claim 1 by equating "accessing only user upstream traffic" as it appears in claim 1 to Bakshi's proxy. As is known, a proxy handles two-way traffic (i.e. upstream and downstream traffic). For example, Bakshi states (bolded for emphasis), "In the arrangement shown in FIG. 5, transcoding server 34 includes an HTTP (HyperText Transfer Protocol) remote proxy 36, capable of accessing network 18 over server/network communications link 16. HTTP remote proxy 36 provides functionality different from known network proxies, which generally are little more than a conduit for **requests to, and replies from**, external Internet resources, in that it is capable not only of examining such **requests and replies**, but also of acting upon commands in the requests

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by, for example, determining whether or not to transcode content. Moreover, using transcoder 20, HTTP remote proxy 36 is capable of changing content received from network 18 prior to returning it to a requesting network client 12.

Conversely, previously presented claim 1 advantageously discloses accessing only user upstream traffic, providing a fixed identifier based on the accessed user upstream traffic, examining the accessed user upstream traffic without modifying the accessed user upstream traffic.

Conclusion

Applicant believes amended claim 1 is not taught or suggested by Bakshi and thus is in condition for allowance. As such, Applicant respectfully request claim 1 as well as all claims that depend from claim 1 to be passed to allowance.

If the Examiner has any other matters which pertain to this Application, the Examiner is encouraged to contact the undersigned to resolve these matters by Examiner's Amendment where possible.

Respectfully Submitted,

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